

32. Geo III
Pub Cap 150

(4131)
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b.8.300/92 (150)

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Enlarging the Term and Powers of an Act, passed in the Eleventh Year of the Reign of His present Majesty, for Repairing, Widening, Turning, and Altering, the Road from the Market House, in the Town of *Great Farringdon*, in the County of *Berks*, to *Burford*, in the County of *Oxford*.

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty King *George the Third*, for repairing, widening, turning, and altering the Road from the Market House in the Town of *Great Farringdon*, in the County of *Berks*, to *Burford*, in the County of *Oxford*, whereby several Tolls were granted and made payable, and divers Powers given for repairing the said Road, and for putting the said Act in Execution, which said Act was to commence upon the Twenty-third Day of *May* One thousand Seven hundred and Seventy-one, and to have Continuance for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament:

Preamble,
Act 11 Geo.
III.

And whereas the said Act hath been put in Execution for repairing the said Road, in consequence whereof a considerable Debt hath been contracted on the Credit of the Tolls thereby

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granted, and which now remains due, and the said Term granted by the said Act is near expiring; and the said Road cannot be sufficiently amended and kept in Repair, nor the said Debt be paid off, unless the said Term be continued and the Powers of the said Act altered and enlarged:

May it therefore please Your MAJESTY,

That it may be Enacted; And be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Authorities, Powers, Privileges, Tolls, Duties, Penalties, Forfeitures, Provisions, Restrictions, and Clauses, therein contained (except such of them as relate to Exemptions from Stamp Duties, or such as are hereby varied, altered, or repealed) shall be and the same is and are hereby further continued, from and after the Expiration of the Term granted by the said recited Act, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof were repeated and re-enacted in this present Act, but subject nevertheless to the Amendments, Variations, Additions, and Alterations herein contained, and which shall commence and take Effect upon the Fifth Day of June One thousand Seven hundred and Ninety-two, and be in Force for and during the Term hereby continued and granted; and that the Tolls hereby continued, and the additional Term hereby granted, as well as the Remainder of the Term granted by the said recited Act, shall be and the same are hereby made subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said recited Act, and also of all Sums of Money which shall or may from Time to Time hereafter be borrowed upon the Credit of the said Act, and of this Act, or either of them, and of all Interest due and to grow due thereon respectively.

Additional
Trustees.

And be it further Enacted, That the Right honourable *William Lord Viscount Abergavenny* in the Kingdom of Ireland, *Edmund Martin Atkins*, the Honourable *Bartholomew Bouverie*, *Slade Baker*, Clerk, *Richard Lawrence*, Clerk, *Pryse Loveden*, *Thomas Maittling*, *Joseph Nutt*, *Bryan Reynolds*, *Benjamin Stead*, *Sir John Throckmorton*,

Throckmorton, Baronet, Francis Warneford, William Ward, William Ward the younger, and Edward Whitaker, shall be, and they are hereby added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the said Act in Execution; and they the said Trustees hereinbefore named, and their Successors, being qualified according to the Directions of the said recited Act, are hereby empowered to act in the Execution of the said recited Act, and of this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said recited Act.

And be it further Enacted, That the Trustees appointed for putting the said recited Act and this Act in Execution, or any Five or more of them, shall meet at the *Crown Inn*, in *Great Faringdon* aforesaid, on *Tuesday* the Fifth Day of *June* One thousand Seven hundred and Ninety-two, and proceed to carry the said recited Act and this Act in Execution, and shall then and there, and from Time to Time afterwards, at any other Meeting or Meetings of the said Trustees, held in pursuance of the said recited Act or this present Act, adjourn themselves to, and appoint any other Time and Place on or near the said Road for any subsequent Meeting of the said Trustees, as they the said Trustees, or any Five or more of them, shall think proper.

First Meet-
ing of the
Trustees.

And whereas it is in the said former Act recited or mentioned that the said Road leads through the several Parishes, *Tythings, or Hamlets of Radcott, Clanfield, Black Bourton, Shilton, and Signett*, all therein mentioned to be in the County of *Oxford*: **And whereas** the Parish or Place of *Shilton*, or that Part thereof through which the said Road doth lead, is situated in the said County of *Berks*, and not in the said County of *Oxford*, as in the said former Act is by Mistake recited or mentioned: **And whereas** the said Road doth lead through the *Tything, Hamlet, or Liberty of Upton and Signett*, in the said County of *Oxford*, which said Tything, Hamlet, or Liberty, is in the said former Act, by Mistake, called or described by the Name of *Signett* only, in the County of *Oxford*: **Be it therefore Enacted and Declared**, That the said former Act, and also this present Act, shall have the same Force and Effect, and be deemed and construed to have the same Force and Effect, to all Intents and Purposes whatsoever, as if the said Parish or Place of *Shilton*, in the County of *Berks*, had been in the said former Act mentioned to lie in the County of *Berks*, instead of the County of *Oxford*, and as if

Rectifying a
Mistake in
the former
Act as to the
Counties in
which *Shilton*
and *Signett*
are situate.

the

the said Tything, Hamlet, or Liberty of *Upton and Signett* had been in the said former Act called or described by the Name of the Tything, Hamlet, or Liberty of *Upton and Signett*, instead of the Parish, Tything, or Hamlet of *Signett* only, or by any other Name.

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 be com-
 petent Wit-
 nessess in Suits
 or Litiga-
 tions about
 Tolls.

And be it further Enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the Tolls to be taken on the said Road, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be, and is and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

Mr. *Hallett*
 hath propo-
 sed to make
 a new Road,
 instead of a
 Part of the
 old Road, in
 the Parish of
Farringdon,
 in Consider-
 ation of the
 old Road be-
 ing vested in
 him.

And whereas *William Hallett*, of *Farringdon House*, in the said County of *Berks*, Esquire, hath proposed to make a new Road from the said old Road at the Top of *Bally Lane*, in the Parish of *Farringdon*, to and through Part of *Littleworth Lane*, and to branch out from thence Northward, and lead through a Ground of Arable Land called *Late Jenner's*, and a Ground called *Milking Close*, and another Ground called *Upper Portman's Leaze*, and there to join Part of the aforesaid old Road which lies in the Parish of *Farringdon*, at a Tree there standing on the Side of the said Road, in the said Ground called *Upper Portman's Leaze*, at the Distance of Fifteen Chains from that Side of the same Ground next *Farringdon*, as the said new intended Road is now staked out; and the said *William Hallett* is the Owner of the Ground intended to constitute such new Road; and the said *William Hallett* hath further proposed, that in case and when he shall have made and completed the said new intended Road, the Part of the said old Road which lies in the Parish of *Farringdon*, beginning from the Top of *Bally Lane* aforesaid, to the abovementioned Tree standing on the Side of the said old Road, in the said Ground called *Upper Portman's Leaze*, at the Distance of Fifteen Chains from that Side of the same Ground next *Farringdon*, shall be stopped up, and that the said Part of the said old Road shall from thenceforth be laid into, and held and enjoyed with the Grounds and Lands on each Side thereof, which are the Property of him the said *William Hallett*; **Be it therefore further Enacted**, That when the said *William Hallett*, his Heirs or Assigns, shall have completed and finished the said intended new Road, hereinbefore described, and made the same fit for the Passage and Convenience of Travellers, Carriages, Horses, and other Cattle, and shall signify the same, by a Statement in Writing, to the Justices, at the then next General Quarter Sessions of the Peace for the said County

When Mr.
Hallett has
 made and
 completed
 the new Road
 the Justices
 at the Quar-
 ter Sessions
 may give
 Judgment

County of Berks, and shall transmit a Copy of such Statement, with Notice of his Intention of signifying the same to the said Justices, to the said Trustees, or any Five or more of them, or to their Clerk for the Time being, at least Twenty-one Days previously to such Quarter Sessions, that then and in such Case it shall be lawful for the Justices present at such Sessions, and they are hereby required, upon Proof of the said Statement made to them by the said *William Hallett*, his Heirs or Assigns, Owners as aforesaid, to adjudge that the said new Road is properly made and completed; and upon a Certificate of the said Judgment, signed by the Clerk of the Peace for the said County, being delivered to the said *William Hallett*, his Heirs or Assigns, Owners as aforesaid (which Certificate the said Clerk of the Peace is required to deliver to the said *William Hallett*, his Heirs or Assigns, Owners as aforesaid, upon being paid Ten Shillings for the same) the said Part of the said old Road shall be discontinued, and cease to be a Turnpike Road and public Highway; and it shall be lawful for the said *William Hallett*, his Heirs and Assigns, Owners as aforesaid, to stop up the same; and all Footpaths and Rights of Way, in, over, from, or on the Side of the said old Road, shall be extinguished and stopped up, and the said old Road shall from thenceforth be laid into the said Lands and Grounds on each Side thereof, and be for ever held and enjoyed therewith, by the said *William Hallett*, or such Person or Persons as shall for the Time being be entitled to the same Lands and Grounds on each Side; and then also and from thenceforth the said new Road, so to be made as aforesaid, shall be deemed and taken to be Part of the said Turnpike Road leading from *Farringdon* to *Burford*; and so much of the said new Road, beginning at the hereinbefore mentioned Tree, standing on the Side of the said old Road, in the said Ground called *Upper Portman's Leaze*, at the Distance of Fifteen Chains from that Side of the same Ground next *Farringdon*, as contains in Length Fifty Chains, shall from thenceforth be supported and kept in Repair by the said Trustees of the said Turnpike Road, in the same Manner as they were authorized to repair the old Road before the Alteration of the Course thereof, and the Residue of the said new Road shall from thenceforth for ever be kept in good and sufficient Repair by the said *William Hallett*, his Heirs and Assigns, Owners of the inclosed Ground or Piece of Land next hereinafter described, and of which he the said *William Hallett* is seised in Fee Simple; (that is to say) All that Piece or Parcel of Arable Land, called *The Far Ground*, containing by Measure Twenty-one Acres, Three Roods, and Thirty-one Perches (be the same more or less) situate, lying, and being in the Parish of *Farringdon* aforesaid, having Two Grounds, or Pieces of Arable Land,

thereon, and
grant a Cer-
tificate there-
of, and there-
upon the old
Road to be
stopped, and
veited in Mr.
Hallett.

Part of the
new Road
to be kept
in Repair by
the Trustees,
and other
Part by Mr.
Hallett, or
the Owners
for the
Time being
of certain
Lands.

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 called *The Rudes*, on the East Side thereof; a Ground called *Sherwood's Bushes*, on the North-east Side thereof; the Grounds now in the Occupation of *Thomas Edoe*, and a Piece of Leasehold Land of him the said *William Hallett*, on the North-west Side thereof; and the Road leading from *Farringdon* aforesaid to *Leachblade*, on the South-west Side thereof; which said inclosed Ground or Piece of Land hereinbefore described is now in the Occupation of him the said *William Hallett*, and was lately purchased by him of *William Ward*, of *Farringdon* aforesaid, Gentleman.

If Mr. Hallett, or the Owner of the Land, neglects to keep his Part of the Road in Repair, Trustees to do it, and recover the Expence from him.

And be it further Enacted, That if the said Part of the said new Road hereby directed to be kept in Repair by the said *William Hallett*, his Heirs and Assigns, Owners of the said inclosed Ground or Piece of Land next before described, or any Part thereof, shall at any Time or Times be out of Repair, then and in such Case it shall be lawful for the said Trustees, or any Five or more of them, to give Notice in Writing to the said *William Hallett*, his Heirs or Assigns, Owners of the said inclosed Ground or Piece of Land last hereinbefore described, to repair the same, and if he or they shall not accordingly make and do such Repairs, within the Space of Twenty-one Days after such Notice, it shall be lawful for the said Trustees, or any Five or more of them, to make and do the same, and thereupon from Time to Time to enter into and upon the said inclosed Ground or Piece of Land next hereinbefore described, and to hold and enjoy the same, until, by and out of the Rents and Profits thereof, or otherwise, they shall be respectively repaid and reimbursed all the Charges and Expences of making and doing such Repairs from Time to Time, and also the Costs and Expences of entering into and taking such Possession.

Judgment of the Justices not removable.

Provided always, and be it further Enacted, That the said Judgment so to be made by the said Justices shall be final and conclusive, and that the same, or any Proceedings to be had relating thereto, shall not be quashed for Want of Form, or be removed or removable by *Certiorari*, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Justices to levy Penalties.

And, for the more easy and speedy convicting and punishing of any Offender against the said recited Act, and this Act; **Be it further Enacted**, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against the said former Act, or this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in

in any other Form of Words to the same Effect, as the Case shall happen; (that is to say)

“ Be it remembered, That on the Day of Form of Conviction.
 “ in the Year of our Lord
 “ *A. B.* is convicted before me *C. D.* One of
 “ His Majesty’s Justices of the Peace for the County or Li-
 “ berty of of [specifying the
 “ *Offence, and the Time and Place when and where the same*
 “ *was committed, as the Case shall be.*] Given under my
 “ Hand and Seal, the Day and Year first above men-
 “ tioned.”

And be it further Enacted, That the Costs, Charges, and Ex-
 pences incident to or attending the obtaining and passing of this
 Act, shall be forthwith paid out of the Monies already arisen by
 virtue of the said former Act, or out of the First Money to arise by
 virtue of the said former Act and this Act.

Paying the
Expences of
the Act.

And be it further Enacted, That this Act shall be deemed and Public Act.
 taken to be a Public Act, and be judicially taken Notice of as
 such, by all Judges, Justices, and other Persons whomsoever, with-
 out specially pleading the same.

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1792.

